

Notice of Allowability

Application No.

09/781,128

Examiner

Chris C. Chu

Applicant(s)

LACOUR ET AL.

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/25/04.
2. ☒ The allowed claim(s) is/are 35 - 49, renumbered (37 CFR 1.126).
3. ☒ The drawings filed on 2/27/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

A. M. Thompson
Primary Examiner
Technology Center 2800

DETAILED ACTION

Request for Continued Examination

1. A request for continued examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 25, 2004 has been entered. An action on the RCE follows.

Response to Amendment

2. Applicant's amendment filed on October 25, 2004 has been received and entered in the case.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for this examiner's amendment was given in a telephone interview with Rodney C. Tullett (Registration No. 34,034) on January 4, 2005.

The application has been amended as follows:

(A) In the **specification**:

The Title has been changed from “Data Management Method for Reticle/Mask Writing” to --Data Management Method for Mask Writing--.

(B) In the **claims**:

- a) **Cancel** non-elected claims 15 – 19, 21 and 23 – 27.
- b) In claim 36, line 2, before “written” delete [to be] and insert --are--.
- c) In claim 40, line 2, after “writer” delete [is capable of transforming] and insert --transforms--.
- d) In claim 40, line 3, before “modified” insert --a--.
- e) In claim 40, line 4, after “writer” delete [can print] and insert --prints--.
- f) In claim 41, line 5, after “and” delete [may include] and insert --includes--.
- g) In claim 45, line 3, after “writer” delete [is capable of transforming] and insert: --transforms--.
- h) In claim 45, line 4, after “writer” delete [can print] and insert --prints--.
- i) In claim 46, line 5, after “and” delete [may include] and insert --includes--.
- j) In claim 47, line 7, after “and” delete [may include] and insert --includes--.
- k) In claim 48, line 5, after “and” delete [may include] and insert --includes--.
- l) In claim 49, line 5, after “and” delete [may include] and insert --includes--.

REASONS FOR ALLOWANCE

- 5. Claims 35 – 49 are allowed.
- 6. The following is an examiner’s statement of reasons for allowance:

The prior art of record does not teach or suggest, either singularly or in combination, at least a step of modifying the selected cells to include the polygons or portions thereof found in overlapping placements of the non-selected cells and the placements of the selected cells. Chang et al. (U. S. Pat. No. 6,370,679) teaches a step of modifying the selected cells to include the polygons or portions thereof of the non-selected cells, but Chang et al. does not teach such a step of modifying the selected cells to include the polygons or portions thereof found in overlapping placements of the non-selected cells and the placements of the selected cells as set forth in claims 35, 41 and 46 – 49.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris C. Chu whose telephone number is 571-272-1724. The examiner can normally be reached on 11:30 - 8:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Tom Thomas can be reached on 517-272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

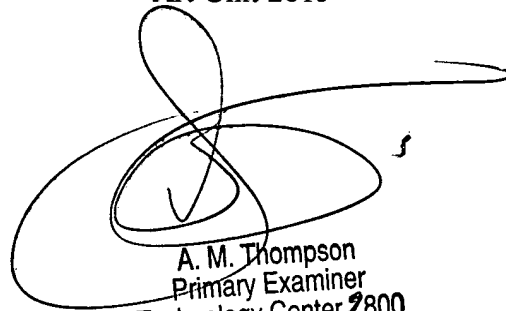
Chris C. Chu

Examiner

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c.c.

1/4/05 8:41:46 PM



A. M. Thompson
Primary Examiner
Technology Center 2800